

# BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

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INTELLECTUAL PROPERTY LAW  
12400 WILSHIRE BOULEVARD, 7TH FLOOR  
LOS ANGELES, CA 90025

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## FACSIMILE COVER SHEET

Deliver to: Frank I ChoiArt Group: 1616Company Name: USPTOFacsimile No.: (703) 308-7924Date: June 6, 2003From: Thomas M Coester, Reg No. 39,637Our Docket No.: 5309P001XNumber of pages 16 including this sheet.Application: 09/802,425Filing Date: 3/9/2001**Subject****COMPOSITION, APPARATUS AND METHOD FOR SKIN REJUVENATION****Remarks**

Please see attached letter.

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#15  
m.m.  
6/6/03

Our Ref. No.: 5309P001X

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Dean Rhoades

Application No.: 09/802,425

Filed: March 9, 2001

For: COMPOSITION, APPARATUS AND  
METHOD FOR SKIN REJUVENATION

Examiner: Frank I. Choi

Art Unit: 1616


Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450LETTER

Dear Sir:

The attached response was mailed April 30, 2003 and received by the USPTO May 16, 2003 as received on the certificate of mailing and the postcard, a copy of which is also transmitted herewith.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR &amp; ZAFMAN LLP

Dated: 6-6 2003  
Thomas M. Coester Reg. No. 39,63712400 Wilshire Blvd.  
Seventh Floor  
Los Angeles, California 90025  
(310) 207-3800CERTIFICATE OF TRANSMISSION:

I hereby certify that this paper is being facsimile transmitted to the U.S. Patent and Trademark Office on June 6, 2003.

  
Lillian E. Rodriguez6-6-03  
June 6, 2003

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STATUS DB-LA

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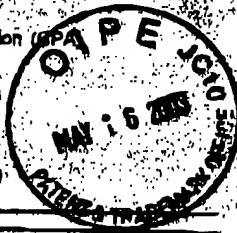
Application No. 00502425 Filing Date 03/08/2001 BSTZ Doc# 005309.P001X Atty/Sec TNE/JSN/MSK  
 Date Mailed 05/23/2003 Deposit Due Date(s) 05/23/2003 Fee 005309.P001X

THE COMPOSITION, APPARATUS AND METHOD FOR SKIN REJUVENATION

Inventor(s) Bhargava

The following has been received in the U.S. Patent &amp; Trademark Office on the date stamped hereon:

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Amendment: Response (___ pgs)     | <input type="checkbox"/> Information Disclosure Statement & PTO/SB/06 (___ pgs)   |
| <input type="checkbox"/> Appeal Brief & two copies (___ pgs)          | <input type="checkbox"/> Issue Fee Transmittal (original & copy)                  |
| <input type="checkbox"/> Application: (___ pages w/ cover & abstract) | <input type="checkbox"/> Nonpublication Request Under 35 U.S.C. 122(b)(2)(B)(i)   |
| <input type="checkbox"/> Assignment & Cover Sheet (___ pgs)           | <input type="checkbox"/> Notice of Appeal   |
| <input checked="" type="checkbox"/> Certificate of Mailing            | <input type="checkbox"/> Petition for: _____                                      |
| <input type="checkbox"/> Continued Prosecution Application (CPA)      | <input type="checkbox"/> Request for Continued Examination (RCE)                  |
| <input type="checkbox"/> Declaration & POA (___ pgs)                  | <input type="checkbox"/> Reply Brief (___ pgs)                                    |
| <input type="checkbox"/> Drawings: ___ sheets, ___ figures            | <input type="checkbox"/> Request to Rescind Previous Nonpublication Request       |
| <input type="checkbox"/> Express Mail No: _____                       | <input type="checkbox"/> Response to Notice of Missing Parts & Formalities Letter |
| <input type="checkbox"/> Extension of Time: _____                     | <input type="checkbox"/> Terminal Disclaimer                                      |
| <input checked="" type="checkbox"/> Fee Transmittal (original & copy) | <input type="checkbox"/> Transmittal of Formal Drawings                           |
| <input checked="" type="checkbox"/> Other Return Postcard             | <input type="checkbox"/> Transmittal of Publication Fee Due                       |
|   | <input checked="" type="checkbox"/> Transmittal Letter                            |
| LA _____  | <input type="checkbox"/> Check No. _____ in the Amount of _____                   |
| Assignee: <u>Corning Inc.</u>   | <input type="checkbox"/> Check No. _____ in the Amount of _____                   |



Application No. 09/802,426 Filing Date 03/09/2001 BSTZ Docket # 098399 P001A Attorney INCHINMA  
Date Mailed 05/09/2001 Patent Office 05/09/2001 Client DERMA NEW INC.  
Title THE COMPOSITION, APPARATUS AND METHOD FOR SKIN REJUVENATION

Inventor(s) Rhodessa  
The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:

<input checked="" type="checkbox"/> Amendment, Response (20) pgs	<input type="checkbox"/> Information Disclosure Statement & FTO/SPQ (2) pgs
<input checked="" type="checkbox"/> Appeal Brief (20) pgs	<input type="checkbox"/> Issue Fee Transmittal (2) pgs
<input type="checkbox"/> Application	<input type="checkbox"/> Nonpublication Request (1) pgs
<input type="checkbox"/> Pages w/cover & abstract	<input type="checkbox"/> Notice of Appeal
<input type="checkbox"/> Application & Cover Sheet (2) pgs	<input type="checkbox"/> Petition for
<input type="checkbox"/> Certificate of Mailing	<input type="checkbox"/> Request for Continued Examination (RCE)
<input type="checkbox"/> Continued Prosecution Application (CPA)	<input type="checkbox"/> Reply Brief (2) pgs
<input type="checkbox"/> Declaration (1) pgs	<input type="checkbox"/> Request to Reopen Previous Examination Request
<input type="checkbox"/> Drawings (2) sheets, 2 figures	<input type="checkbox"/> Response to Notice of Missing Parts (1) pgs
<input type="checkbox"/> Express Mail Fee	<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> Extension of Time (2) pgs	<input type="checkbox"/> Transmittal of Formal Drawing
<input type="checkbox"/> Fee Transmittal (original & copy)	<input type="checkbox"/> Transmittal of Publication Fee Over
<input type="checkbox"/> Cover Sheet/Postcard	<input type="checkbox"/> Transmittal Letter
	<input type="checkbox"/> Check No. in the Amount of
	<input type="checkbox"/> Check No. in the Amount of

PTO/SB/21 (08-00)  
 Approved for use through 10/31/2002. OMB 0651-0031  
 Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
 Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)		Application No.	09/802,425
		Filing Date	March 9, 2001
		First Named Inventor	Dean Rhoades
		Group Art Unit	1616
		Examiner Name	Frank I. Choi
Total Number of Pages in This Submission	13	Attorney Docket Number	5309P001X

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> PTO/SB/08 <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Basic Filing Fee <input type="checkbox"/> Declaration/POA <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <div style="border: 1px solid black; padding: 5px; margin-top: 10px;">Return Postcard</div>
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Thomas M. Coester, Reg. No. 39,637 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	<i>Thomas Coester</i>
Date	April 30, 2003

CERTIFICATE OF MAILING/TRANSMISSION			
I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class mail with sufficient postage in an envelope addressed to: Box Non-Fee Amendment, Assistant Commissioner for Patents, Washington, D.C. 20231 on: April 30, 2003			
Typed or printed name	Lillie E. Rodriguez	Date	April 30, 2003
Signature	<i>Lillie E. Rodriguez</i>		

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

PTO/SB/17 (01-03)

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**FEE TRANSMITTAL  
for FY 2003**

Effective 01/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$) 0.00

**Complete if Known**

Application Number	09/802,425
Filing Date	March 9, 2001
First Named Inventor	Dean Rhoades
Examiner Name	Frank I. Choi
Group/Art Unit	1616
Attorney Docket No.	5309P001X

**METHOD OF PAYMENT (check one)**
☐ Check ☐ Credit card ☐ Money Order ☐ Other ☒ None.  
☐ Deposit Account

 Deposit Account Number: 02-2666  
 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayment  
☒ Charge any additional fee(s) required under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account
**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	750	2001	375	Utility filing fee	
1002	300	2002	150	Design filing fee	
1003	500	2003	250	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	150	2005	75	Provisional filing fee	
SUBTOTAL (1)					(5)

**2. EXTRA CLAIM FEES**

Total Claims	Extra Claims	Fee from below	Fee Paid
7	20	0	\$0.00
2	6	0	\$0.00
Multiple Dependent			

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	15	2202	0	Claims in excess of 20	
1201	84	2201	42	Independent claims in excess of 3	
1203	280	2203	140	Multiple Dependent claim, if not paid	
1204	64	2204	32	Reissue independent claims over original patent	
1205	15	2205	0	Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					(5) 0.00

\*or number previously paid, if greater. For Reissues, see below

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	80	2052	25	Surcharge - late provisional filing fee or cover sheet	
2053	130	2053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920	1804	920	Requesting publication of SIR prior to Examiner action	
1805	1,840	1805	1,840	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	690	2253	465	Extension for reply within third month	
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1404	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	2451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1450	130	2450	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(a)	
1805	180	1805	180	Submission of Information Disclosure Sum	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	1809	375	Filing a submission after final rejection (37 CFR § 1.128(a))	
1810	750	1810	375	For each additional invention to be examined (37 CFR § 1.128(b))	
1801	750	1801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify):

\* Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(5)

**SUBMITTED BY**

Name (Print/Type) Thomas M. Coest r

Registration No.  
(Attorney/Agent)

39,637

Telephone

(310) 207-3800

Signature

Thomas M. Coest r

Date

04/30/03

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application to the USPTO. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231

PTO/SB/17 (01-03)

Approved for use through 04/30/2003. OMB 0651-0032  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**FEE TRANSMITTAL  
for FY 2003**

Effective 01/01/2003, Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27.TOTAL AMOUNT OF PAYMENT (\$)  
0.00**Complete if Known**

Application Number	09/802,425
Filing Date	March 9, 2001
First Named Inventor	Dean Rhoades
Examiner Name	Frank I. Choi
Group/Art Unit	1616
Attorney Docket No.	5309P001X

**METHOD OF PAYMENT (check one)**
☐ Check ☐ Credit card ☐ Money Order ☐ Other ☒ None  
☐ Deposit Account

Deposit Account Number

02-2666

Deposit Account Name

Blakely, Sokoloff, Taylor &amp; Zafnan LLP

The Commissioner is authorized to: (check all that apply)

- ☐ Charge fee(s) indicated below ☒ Credit any overpayments
- ☒ Charge any additional fee(s) required under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.
- ☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
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1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	180	2005	90	Provisional filing fee	
SUBTOTAL (1)				(\$)	

**2. EXTRA CLAIM FEES**

Total Claims	Extra Claims	Fee from below	Fee Paid
7	20*	0	50.00
2	5*	42.00	50.00

Multiple Dependent

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	84	2201	42	Independent claims in excess of 3	
1203	280	2203	140	Multiple Dependent claim, if not paid	
1204	84	2204	42	Reissue independent claims over original patent	
1205	18	2205	9	Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)				(\$)	0.00

\*or number previously paid, if greater. For Reissues, see below

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
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1453	1,300	2453	650	Petition to revive - unintentional	
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1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	2460	130	Petitions to the Commissioner	
1807	50	1807	50	Prosecuting fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	1809	375	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

\* Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$)

**SUBMITTED BY**

Name (Print/Type) Thomas M. Coest r

Registration No.  
(Attorney/Agent)

39,637

Telephone

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Signature

Thomas Coest r

Date

04/30/03

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